

In the Claims:

1. (Currently Amended) An article of footwear comprising:
an upper;
an outsole defining a ground engaging surface;
a sole disposed between said upper and said outsole, said sole including an energy return system;
wherein said energy return system comprises a first rigid plate, and a second rigid plate spaced a predetermined distance from said first rigid plate, the first and second plates made from an elastic material of high tensile strength, and at least one elastomeric separating element disposed therebetween to maintain the spacing between said plates, the separating element allowing independent movement of the first and second rigid plates with respect to one another in multiple dimensions including medial-lateral movement and vertical movement, the first and second plates deflecting and storing energy when loaded by a wearer during a phase of gait cycle, the first and second plates returning to a non-deflected state and releasing stored energy into a step forward and upward, propelling the wearer at a subsequent phase of gait cycle.

2. (Original) The article of footwear of claim 1 wherein said first and second plates comprise a material having a modulus of elasticity of at least approximately 32×10^6 lb/in².

3. (Original) The article of footwear of claim 2 wherein said material comprises carbon graphite.

4. (Canceled)

5. (Currently Amended) An article of footwear comprising:

an upper;
an outsole defining a ground engaging surface;
a sole disposed between said upper and said outsole, said sole including an energy return system;

wherein said energy return system comprises a first rigid plate; and a second rigid plate spaced a predetermined distance from said first rigid plate, the first and second plates made from an elastic material of high tensile strength, and two elastomeric separating elements disposed therebetween to maintain the spacing between said plates, a first one of said separating elements being disposed in a toe area of said article of footwear and a second one of said separating elements being disposed in a heel area of said article of footwear, ~~the separating elements allowing independent movement of the first and second rigid plates with respect to one another in the medial lateral and vertical directions, the first and second plates deflecting and storing energy when loaded by a wearer during a phase of gait cycle, the first and second plates returning to a non-deflected state and releasing stored energy into a step forward and upward, propelling the wearer at a subsequent phase of gait cycle.~~

6. (Original) The article of footwear of claim 1 wherein said first one of said separating elements is generally arcuate.

7. (Canceled)

8. (Currently Amended) An energy return system for use in a shoe sole, said system comprising:

a first rigid plate;
a second rigid plate spaced a predetermined distance from said first rigid plate, the first and second plates made from an elastic material of high tensile strength;

at least one elastomeric separating element maintaining the distance between said first and second rigid plates, ~~the separating element allowing independent movement of the first and second rigid plates with respect to one another in multiple dimensions including medial lateral movement and vertical movement,~~ the first and second plates deflecting and storing energy when loaded by a wearer during a phase of gait cycle, the first and second plates returning to a non-deflected state and releasing stored energy into a step forward and upward, propelling the wearer at a subsequent phase of gait cycle.

9. (Original) The energy return system of claim 8 wherein said first and second plates comprise a material having a modulus of elasticity of at least approximately 32×10^6 lb/in².

10. (Original) The energy system of claim 9 wherein said material comprises carbon graphite.

11. (Original) The energy system of claim 10 wherein said first and second plates are formed by a plurality of layers of carbon graphite.

12. (Currently Amended) The energy system of claim 8 wherein each of said first and second rigid plates extends substantially the entire length of a foot.

13. (Currently Amended) The energy system of claim 12 wherein each of said first and second rigid plates is configured to include a rocker bottom.

14. (Currently Amended) The energy system of claim 8 wherein each of said first and second rigid plates extends only a portion of the length of a foot.

15. (Currently Amended) The energy system of claim 14 wherein each of said first and second ~~rigid~~ plates extends from a toe area of the foot to an arch area of the foot.

16. (Canceled)

17. (Original) The energy system of claim 8 wherein said at least one separating element comprises two separating elements, a first one of said separating elements disposed in a forward end of the energy return system and a second one of said separating elements disposed in a rearward end of the energy return system.

18. (Original) A shoe sole incorporating the energy return system of claim 8.

19. (Previously Amended) An article of footwear incorporating the shoe sole of claim 18.

20. (Currently Amended) A shoe sole for an article of footwear comprising:
an outsole defining a ground engaging surface;
an upper ~~rigid~~ plate spaced from the outsole for attachment to an upper;
a lower ~~rigid~~ plate disposed between the outsole and the upper ~~rigid~~ plate,
the upper plate and the lower plate made from an elastic material of high tensile strength;
and


at least one elastomeric separating element disposed between the upper and lower ~~rigid~~ plates to maintain the separation thereof, ~~the separating element allowing independent movement of the first and second rigid plates with respect to one another in multiple dimensions including medial lateral movement and vertical movement, the upper and lower plates deflecting and storing energy when loaded by a wearer during a phase of gait cycle, the upper and lower plates returning to a non-deflected state and releasing stored~~

energy into a step forward and upward, propelling the wearer at a subsequent phase of gait cycle.

21. (Original) The article of footwear of claim 1 wherein said at least one separating element comprises two separating elements.

22. (Original) The article of footwear of claim 21 wherein the two separating elements allow the first and second plates to move independently of one another in all dimensions.

23. (Original) The article of footwear of claim 21 wherein a first of the two separating elements is located entirely forward of a ball of a wearer's foot.

 24. (Currently Amended) The article of footwear of claim 1 wherein the first and second ~~rigid~~ plates are not immovably fixed to one another in any dimension.

25. (Original) The energy return system of claim 8 wherein said at least one separating element comprises two separating elements.

26. (Original) The energy return system of claim 25 wherein the two separating elements allow the first and second plates to move independently of one another in all dimensions.

27. (Original) The energy return system of claim 25 wherein a first of the two separating elements is located entirely forward of a ball of a wearer's foot.

28. (Currently Amended) The energy return system of claim 25 wherein the first and second ~~rigid~~ plates are not immovably fixed to one another in any dimension.

29. (Original) The shoe sole of claim 20 wherein said at least one separating element comprises two separating elements.

30. (Currently Amended) The shoe sole of claim 29 wherein the two separating elements allow the upper first and lower second plates to move independently of one another in all dimensions.

31. (Original) The shoe sole of claim 29 wherein a first of the two separating elements is located entirely forward of a ball of a wearer's foot.

32. (Currently Amended) The shoe sole of claim 29 wherein the upper and lower ~~rigid~~ plates are not immovably fixed to one another in any dimension.

33. (Currently Amended) The article of footwear of claim 1 wherein the first and second ~~rigid~~ plates are separate independent plates.

34. (Currently Amended) The article of footwear of claim 1 wherein the first and second ~~rigid~~ plates extend from a toe portion of the footwear to at least an arch portion of the footwear.

35. (Currently Amended) The article of footwear of claim 5 wherein the first and second ~~rigid~~ plates are separate independent plates.

36. (Currently Amended) The energy return system of claim 8 wherein the first and second ~~rigid~~ plates are separate independent plates.

37. (Currently Amended) The energy return system of claim 8 wherein the first and second ~~rigid~~ plates extend from a toe portion of the shoe sole to at least an arch portion of the shoe sole.

38. (Currently Amended) The shoe sole of claim 20 wherein the upper and lower ~~rigid~~ plates are separate independent plates.

39. (Currently Amended) The shoe sole of claim 20 wherein the upper and lower ~~rigid~~ plates extend from a toe portion of the footwear to at least an arch portion of the footwear.
